

REMARKS/ARGUMENTS

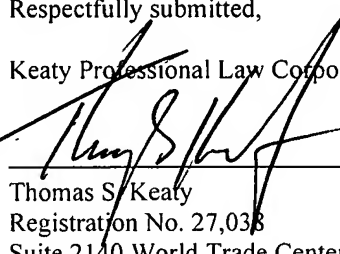
This is a response to the Office Action of August 10, 2004. Claims 1-10 and 21-25 are pending in the application. Claims 3, 4, and 6 were rejected under 35 U.S.C. 112, second paragraph. The applicant made the necessary amendments in Claims 3, 4, and 6 to overcome the rejection and to place all claims in condition for allowance.

Claims 1-10 and 21-25 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-10 of U.S. patent No. 6,722,592. The applicant submits herewith a Terminal Disclaimer to obviate the double-patenting rejection. The Patent Office is authorized to charge the required fees to Deposit Account No. 11-0260 of the undersigned.

It is believed that all issues have been resolved and issuance of an early Notice of Allowance is respectfully requested.

Respectfully submitted,

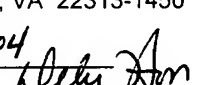
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:

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P.O. Box 1450
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On: 9/1/04
By: 
Debra Horn

CROSS-REFERENCE TO RELATED APPLICATIONS

[0001] This application is continuation of my co-pending application Serial No. 10/152,764, filed on May 21, 2002 entitled "Apparatus for Removing Frangible Objects from a Container," now patent No. 6,722,592, the full disclosure of which is incorporated by reference herein.